

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PLATINA BULK CARRIERS PTE LTD,

Plaintiff,

- against -

PRAXIS ENERGY AGENTS DMCC,
PRAXIS ENERGY AGENTS LLC, and
PRAXIS ENERGY AGENTS PTE LTD.

Defendants.

20 Civ. 4892 (NRB)

**PLAINTIFF PLATINA BULK CARRIERS PTE LTD.’s INTERIM SEALING MOTION
REGARDING CERTAIN EXHIBITS TO ITS CROSSMOTION FOR SUMMARY
JUDGMENT AND IN OPPOSITION TO DEFENDANT’S MOTION**

Plaintiff Platina Bulk Carriers Pte Ltd. (“Platina” or “Plaintiff”), by its counsel, and pursuant to the Stipulated Confidentiality Order Regarding Confidentiality of Discovery Material (the “Confidentiality Order”) [ECF No. 74], files this interim sealing motion seeking to seal Exhibits 7, 8, 10, 13-17, 21-24, 28-30 to the Declaration of Thomas L. Tisdale submitted in connection with Platina’s Response to Defendant Praxis US’ Motion for Summary Judgment and in support of Plaintiff’s Cross-Motion for Summary Judgment.

In support of this motion, Plaintiff states as follows:

1. The Confidentiality Order entered in this action permits parties to designate discovery material, including all documents produced in the course of discovery, all Answers to Interrogatories, all Answers to Requests for Admission, all Responses to Requests for Production of Documents, and all deposition testimony and deposition exhibits, as “Confidential” where that information includes but is not limited to previously undisclosed and not publicly available trade secrets, confidential and/or non-public proprietary business information, or other highly

confidential, non-public, personal or proprietary business information (“Confidential Information”), the disclosure of which could be detrimental or harmful to the designating party.” *See Confidentiality Order at Paragraph 1(a).* (ECF No. 74).

2. Paragraph 1(s) of the Confidentiality Order provides, in part, that “to the extent any materials subject to the Confidentiality Order are proposed to be filed or are filed with the Court, those materials and papers, or any portion thereof which disclose confidential information, shall be filed under seal (by the filing party) with the Clerk of the Court with a simultaneous motion [to seal] (the “Interim Sealing Motion”) in accordance with the current version of the Court’s Rules for filing. Even if the filing party believes that the materials subject to the Confidentiality Order are not properly classified as Confidential, the filing party shall file the Interim Sealing Motion.”

3. Plaintiff Platina filed the Proposed Sealed Materials as sealed documents contemporaneously herewith in accordance with the Court’s Electronic Case Filing Rules & Instructions.

4. Plaintiff Platina, in satisfaction of its obligations under the Confidentiality Order, seeks authorization to file under seal the Proposed Sealed Material, which was designated as Confidential.

5. Plaintiff Platina has taken no position with respect to whether the Proposed Sealed Material is properly designated as Confidential and reserves all rights with respect thereto.

WHEREFORE, Plaintiff Platina respectfully requests that the Court enter an Order:

- a. Granting this motion;
- b. Authorizing the interim filing under seal of the Proposed Sealed Material; and
- c. Granting such other and further relief as is appropriate.

Dated: September 29, 2023
New York, NY

Respectfully submitted,
Attorneys for Plaintiff,

By: /s/Thomas L. Tisdale
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CERTIFICATION OF SERVICE

I hereby certify that on September 29, 2023, a copy of the foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing. Parties may access this filing through the Court's CM/ECF system.

/s/
Thomas L. Tisdale

Application granted. The exhibits are temporarily sealed subject to further order of the Court.

So ordered.


NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

Dated: October 2, 2023
New York, New York